

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	NO. <u>1:21-cr-10070-STA-5</u>
)	
v.)	
)	
ROBERTO GARZA,)	
)	
Defendant.)	

MOTION TO DISMISS INDICTMENT

The United States of America, by and through Joseph C. Murphy, Jr., United States Attorney for the Western District of Tennessee and Gregory D. Allen, Assistant United States Attorney, respectfully moves this Honorable Court to dismiss the above reference indictment as to Defendant Roberto Garza.

The United States obtained information that Roberto Garza died July 22, 2022. Subsequently, the United States reviewed a certificate of death¹ for Defendant Garza. Therefore, the United States moves to dismiss without prejudice the indictment against Defendant Garza.

Respectfully submitted,

Joseph C. Murphy, Jr.
United States Attorney

By: s/Gregory D. Allen
Gregory D. Allen
Assistant United States Attorney
167 N. Main, Suite 800
Memphis, Tennessee 38103
Telephone: (901) 544-4231

¹ The certificate of death is being filed as a "Medical Record" under seal on ECF.

CERTIFICATE OF SERVICE

I, Gregory D. Allen, Assistant United States Attorney for the Western District of Tennessee, hereby certify that a copy of the foregoing pleading was forwarded by electronic means via the court's electronic filing system.

DATE: September 12, 2022.

s/Gregory D. Allen
Gregory D. Allen
Assistant United States Attorney